

Remarks

Claims 145-204 are presently pending in this patent application of which claims 145, 150, 155, 160, 165, 170, 175, 180, 185, 190, 195 and 200 are in independent form. The pending claims are directed to various embodiments of systems and methods to establish personal acquaintances for the purpose of dating. In general, the systems and methods involve searching personal advertisements over the Internet according to **age** criteria, **gender** criteria or **marital status** criteria. In certain claimed embodiments, posted personal advertisements may additionally incorporate **text**, **image**, **audio** or **video** data.

In the prior Office Action, the Examiner objected to the Specification and rejected each of the pending claims as being obvious in light of U.S. Patent Number 5,794,207 to Walker ("Walker"), and alternately obvious in light of international Patent Application Publication WO 9605564 in the name of Balabon ("Balabon") in view of U.S. Patent 5,848,396 to Gerace ("Gerace").

As set forth in Applicant's prior submission, Applicant respectfully submits that claims 145-204 are not obvious over the cited references either alone or in combination. Accordingly, the Examiner is respectfully requested to withdraw the rejections of claims 145-204 and allow all pending claims.

Objections to the Specification

The Examiner has objected to the written description on the grounds that it includes embedded hyperlinks. Applicant amended the written description to remove the referenced hyperlinks in the response dated June 15, 2005. Accordingly, Applicant respectfully submits that these objections have already been addressed by Applicant's prior amendment.

Rejections under 35 U.S.C. 103**I. The Examiner Concedes that Walker Fails to Teach Most of the Explicitly-recited Limitations of the Pending Claims**

In the Office Action dated August 30, 2005 (the "Office Action"), the Examiner rejected pending claims 145-204 as being obvious over Walker. Walker discloses an online auction system for effectuating "bilateral buyer-driven commerce." The system of Walker allows prospective buyers of goods and services to communicate a binding purchase offer globally to potential sellers, for sellers conveniently to search for relevant buyer purchase offers, and for sellers potentially to bind a buyer to a contract based on the buyer's purchase offer. The Examiner notes that Walker discloses a searchable database which may be accessed over the Internet. The Examiner concedes, however, that Walker fails to teach any of the following explicit limitations recited in the pending claims:

A system/method to establish an acquaintance for the purpose of dating (See Office Action, p. 3)

Personal advertisements seeking companionship (See Office Action, p. 3)

Age data as a portion of an advertisement (See Office Action, p. 3)

Gender data as a portion of an advertisement (See Office Action, p. 4)

Marital status data as a portion of an advertisement (See Office Action, p. 4)

Submission of image data as a portion of an advertisement (See Office Action, pp. 4-5)

Submission of audio data as a portion of an advertisement (See Office Action, pp. 4-5)

Ad responses including image data (See Office Action, p. 5)

Ad responses including audio data (See Office Action, p. 5)

Automatic notification of a response to an advertisement (See Office Action, p. 6)

Publication of ad summaries in response to a search (See Office Action, p. 6)

Although the Examiner concedes that none of the above elements are disclosed in Walker, the Examiner asserts that it would be obvious to combine any one of the above with the general concept of searchable commercial advertisements posted on the Internet, which is disclosed in Walker. Based on this position, the Examiner extrapolates to the position that it would be obvious to combine all of the above together in order to generate the claimed invention. (See Office Action, pp. 3-6).

Applicant respectfully submits that the Examiner's approach is completely improper and insufficient for a finding of obviousness under 35 U.S.C. 103(a). The Examiner makes the above assertions of obviousness without citing any reference whatsoever in support of his assertions. Contrary to the established procedures of the U.S. Patent and Trademark Office, the Examiner has failed to identify each and every limitation in any of the pending claims and has failed to identify any motivation to modify the Walker reference in the manner suggested by the Examiner. The Examiner has, therefore, failed to establish a *prima facie* case of obviousness of any of claims 145-204 in light of Walker, and Applicant respectfully requests that these rejections be withdrawn.

II. The Examiner Concedes that Balabon and Gerace Fail, Even in Combination, to Teach Many of the Explicitly-recited Limitations of the Pending Claims

The Examiner has further rejected claims 145-204 as being obvious over the combination of Balabon and Gerace. Balabon discloses a personal advertisement system incorporating a group of kiosks having personal advertisements stored thereon. The Examiner concedes that Balabon fails to disclose at least:

Use of the Internet (See Office Action, p. 7)

Submission of video data as a portion of an advertisement
(See Office Action, p. 8)

Automatic notification of a response to an advertisement
(See Office Action, p. 8)

Publication of ad summaries in response to a search (See Office Action, pp. 8-9)

The Examiner has cited Gerace as providing the limitations missing from Balabon. Gerace discloses targeting of promotional materials based on "psychographic" profiles of end users. The psychographic profiles are generated by recording and analyzing computer activity and viewing habits of the end users. The Examiner asserts that it would be obvious to combine the distributed personal advertisement system of Balabon with the psychographic profiling system of Gerace in order to generate an Internet-based personal advertisement system. Applicant respectfully submits that it would not be at all obvious to combine a decentralized personal advertisement system with an Internet-based promotion targeting system. Even if one were to combine the two, Gerace fails to teach any of the following:

Submission of image data as a portion of an advertisement

Submission of audio data as a portion of an advertisement

Submission of video data as a portion of an advertisement

Ad responses including image data

Ad responses including audio data

Ad responses including video data

Automatic notification of a response to an advertisement

Publication of ad summaries in response to a search

Accordingly, the Examiner has conceded that Balabon and Gerace fail, even in combination, to teach any of:

Submission of video data as a portion of an advertisement
(See Office Action, p. 8)

Automatic notification of a response to an advertisement
(See Office Action, p. 8)

Publication of ad summaries in response to a search (See Office Action, pp. 8-9)

Accordingly, Balabon and Gerace do not, even in combination, establish a *prima facie* case of obviousness of claims 145-204, as they fail to teach each and every limitation recited in the rejected claims and there is no motivation to combine the references in the manner suggested by the Examiner.

Fee Statement

The number of independent claims is unchanged by way of the present amendment. The total number of claims is unchanged by way of the present amendment. Applicant believes no additional fees are due with this amendment. If additional fees are due or an overpayment has been made, please debit or credit our deposit account, Account No. 03-1130.

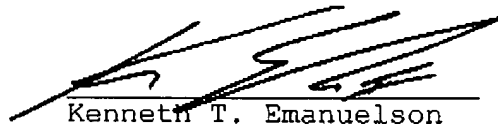
Conclusion

In view of the foregoing, the Examiner is respectfully requested to allow the claims presented for consideration herein.

The Examiner is requested to call the undersigned for any reason that would advance the instant application to issue.

Dated this 18th day of August, 2006.

Respectfully submitted:



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